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Attorneys for the United States

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ANTHONY HERNANDEZ,

Defendant.

Case No. 2:18-cr-00320-RFB-VCF

**Stipulation to Continue Sentencing
Hearing (Sixth Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou, Acting United States Attorney, and Penelope J. Brady and Bianca R. Pucci, Assistant United States Attorneys, counsel for the United States of America, Joshua Tomsheck of Hofland & Tomsheck, attorney for the defendant Richard Anthony Hernandez, that the sentencing hearing currently scheduled for November 18, 2021, at 11:45 a.m. be vacated and reset to December 14, 2021 at 1:00 p.m. This Stipulation is entered into for the following reasons:

1 1. One of the government attorneys assigned to the case is not available for the
2 currently scheduled sentencing hearing as she will be on trial in the case of *United States v.*
3 *Romero-Jimenez, et al*, 3:21-cr-00039-RCJ-WGC, the week of November 15, 2021.

4 2. The Defendant is in custody and does not object to the continuance.

5 3. The parties agree to the continuance.

6 4. Additionally, denial of this request for continuance could result in a miscarriage of
7 justice.

8 5. The additional time requested by this stipulation is made in good faith and not for
9 purpose of delay.

10 6. This is the first request on behalf of the government for a continuance of the
11 sentencing hearing, but sixth stipulation to continue overall.

12 DATED this 20th day of October, 2021.

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14 CHRISTOPHER CHIOU
15 Acting United States Attorney

HOFLAND & TOMSHECK

16 /s/ Penelope J. Brady
17 Penelope J. Brady
18 Assistant United States Attorney

/s/ Joshua Tomsheck
Joshua Tomsheck
Attorney for Defendant
RICHARD ANTHONY HERNANDEZ

18 /s/ Bianca R. Pucci
19 Bianca R. Pucci
20 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ANTHONY HERNANDEZ,

Defendant.

Case No. 2:18-cr-00320-RFB-VCF

ORDER

Based on the Stipulation of counsel, good cause appearing therefore, the Court finds that:

1. One of the government attorneys assigned to the case is not available for the currently scheduled sentencing hearing as she will be on trial in the case of *United States v. Romero-Jimenez, et al*, 3:21-cr-00039-RCJ-WGC, the week of November 15, 2021.
2. The Defendant is in custody and does not object to the continuance.
3. The parties agree to the continuance.
4. Additionally, denial of this request for continuance could result in a miscarriage of justice.
5. The additional time requested by this stipulation is made in good faith and not for purpose of delay.
6. This is the first request for a continuance of the sentencing hearing by the government, but the sixth stipulation to continue overall.

IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled on

1 Thursday, November 18, 2021, at the hour of 11:45 a.m., be vacated and continued to December
2 14, 2021 at the hour of 1:00 p.m. by videoconference.

3 DATED this 27th day of October, 2021.

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6 HONORABLE RICHARD F. BOULWARE, II
7 United States District Judge
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